

HOUSE BILL 686

By Beck

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17; Title 49, Chapter 50, Part 16; Title 53; Title 63 and Title 68, relative to epinephrine.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following section:

(a) As used in this section:

(1) "Chief medical officer" means the chief medical officer for the department of health; and

(2) "Epinephrine auto-injector" means a single-use device used to administer by automatic injection a premeasured dose of epinephrine into the body of a person, or any other epinephrine system approved by the federal food and drug administration for public use.

(b)

(1) The chief medical officer is authorized to implement a statewide collaborative pharmacy practice agreement specific to dispensing epinephrine auto-injectors with any pharmacist licensed in, and practicing in, this state.

(2) A pharmacist licensed in, and practicing in, this state is authorized to dispense an epinephrine auto-injector, in good faith, pursuant to a valid statewide collaborative pharmacy practice agreement, as defined in § 63-10-204, executed by the chief medical officer.

(3) Under a valid statewide collaborative pharmacy practice agreement authorized by the chief medical officer, an authorized pharmacist may dispense an epinephrine auto-injector to:

(A) A person at risk of experiencing a severe allergic reaction that would require the use of an epinephrine auto-injector; or

(B) A family member, friend, or other person in a position to assist a person at risk of experiencing a severe allergic reaction requiring the use of an epinephrine auto-injector.

(4) The pharmacist shall maintain the collaborative pharmacy practice agreement in accordance with the requirements set forth in § 63-10-217, and this agreement must be made available to the department of health upon request.

(5) A licensed pharmacist acting in good faith and with reasonable care, who dispenses an epinephrine auto-injector to a person the pharmacist believes to be experiencing or at risk of experiencing a severe allergic reaction, or who dispenses an epinephrine auto-injector to a family member, friend, or other person in a position to assist a person experiencing or at risk of experiencing a severe allergic reaction, is immune from disciplinary or adverse administrative actions under this title for acts or omissions during the dispensation of an epinephrine auto-injector.

(6) Any licensed pharmacist who dispenses an epinephrine auto-injector pursuant to subdivision (b)(2) is immune from civil liability in the absence of gross negligence or willful misconduct for actions authorized by this section.

(7) The chief medical officer is immune from disciplinary or adverse administrative actions under this title, as well as civil liability in the absence of gross negligence or willful misconduct, for acts or omissions during the

dispensing of an epinephrine auto-injector by a pharmacist acting pursuant to a collaborative agreement established pursuant to this section.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.